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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ELISSA M. ROBERTS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

BLOOM ENERGY CORPORATION, et al.,
Defendants.

Case No. 4:19-cv-02935-HSG

**JOINT STIPULATION AND ORDER TO
EXTEND CASE DEADLINES BY 14 DAYS**

Hon. Haywood S. Gilliam, Jr.

1 Lead Plaintiff James Everett Hunt, additional plaintiffs Juan Rodriguez, Kurt Voutaz, Joel
 2 White, Andrew Austin, and Ryan Fishman (“Plaintiffs”) and Defendants Bloom Energy Corporation
 3 and the Individual Defendants (the “Bloom Defendants”) and Defendants J.P. Morgan Securities LLC,
 4 Morgan Stanley & Co. LLC, Credit Suisse Securities (USA) LLC, KeyBanc Capital Markets Inc.,
 5 Merrill Lynch, Pierce, Fenner & Smith Incorporated, Cowen and Company, LLC, HSBC Securities
 6 (USA) Inc., Oppenheimer & Co. Inc., Raymond James & Associates, Inc., and Robert W. Baird & Co.
 7 Incorporated (the “Underwriter Defendants,” and together with the Bloom Defendants, “Defendants”
 8 and together with Lead Plaintiff, the “Parties”), by and through their undersigned counsel, hereby
 9 stipulate as follows:

10 **WHEREAS**, on January 10, 2023, the Parties filed a Joint Notice of Settlement and Stipulation
 11 and Proposed Order to Stay Proceedings and Vacate Hearings Pending Settlement Approval (Dkt.
 12 215);

13 **WHEREAS**, on January 11, 2023, the Court issued an Order staying the proceedings and
 14 vacating all hearings pending finalization of the settlement documentation and a ruling on Lead
 15 Plaintiff’s Motion for Preliminary Approval of Settlement. The Order stated that if the Motion for
 16 Preliminary Approval of Settlement was not filed by February 14, 2023, the Parties shall file a joint
 17 report regarding the status of settlement by that date (Dkt. 216);

18 **WHEREAS**, on February 14, 2023, the Parties filed a Joint Stipulation to extend the February
 19 14, 2023 deadline by 30 days to March 16, 2023 (Dkt. 217);

20 **WHEREAS**, on February 14, 2023, the Court entered an Order granting the Stipulation and
 21 extending the deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or
 22 for the Parties to file a joint report regarding the status of the settlement to March 16, 2023 (Dkt. 219);

23 **WHEREAS**, on March 16, 2023, the Parties filed a Joint Stipulation to extend the March 16,
 24 2023 deadline to April 17, 2023 (Dkt. 222);

25 **WHEREAS**, on March 16, 2023, the Court entered an Order granting the Stipulation and
 26 extending the deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or
 27 for the Parties to file a joint report regarding the status of the settlement to April 17, 2023 (Dkt. 223);

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2 **WHEREAS**, on April 17, 2023, the Parties filed a Joint Stipulation to extend the April 17,
3 2023 deadline to May 17, 2023 (Dkt. 228);

4 **WHEREAS**, on April 17, 2023, the Court entered an Order granting the Stipulation and
5 extending the deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or
6 for the Parties to file a joint report regarding the status of the settlement to May 17, 2023 (Dkt. 229);

7 **WHEREAS**, on May 17, 2023, the Parties filed a Joint Stipulation to extend the May 17, 2023
8 deadline to June 7, 2023 (Dkt. 231);

9 **WHEREAS**, on May 18, 2023, the Court entered an Order granting the Stipulation and
10 extending the deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or
11 for the Parties to file a joint report regarding the status of the settlement to June 7, 2023 (Dkt. 232);

12 **WHEREAS**, on June 7, 2023, the Parties filed a Joint Stipulation to extend the June 7, 2023
13 deadline to June 21, 2023 (Dkt. 233);

14 **WHEREAS**, on June 8, 2023, the Court entered an Order granting the Stipulation and
15 extending the deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or
16 for the Parties to file a joint report regarding the status of the settlement to June 21, 2023 (Dkt. 234);

17 **WHEREAS**, Plaintiffs and Defendants have exchanged drafts and comments on drafts of the
18 Stipulation of Settlement and supporting documents and the Motion for Preliminary Approval and
19 supporting documents;

20 **WHEREAS**, the Parties have exchanged near-final versions of the Stipulation of Settlement
21 and exhibits and are in the process of securing final approval;


22 **WHEREAS**, the Parties have met and conferred and agree that it would serve the interests of
23 efficiency and conserve resources to extend the current June 21, 2023 deadline for Plaintiffs to file the
24 Motion for Preliminary Approval of Settlement or for the Parties to file a joint report regarding the
25 status of settlement by an additional 14 days to July 5, 2023;

26 **NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE**, pursuant to
27 Civil L.R. 6-2, by and through their undersigned counsel:

1. The June 21, 2023 deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or for the Parties to file a joint report regarding the status of the settlement shall be extended by 14 days to July 5, 2023.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 6/22/2023


Honorable Haywood S. Gilliam, Jr.
United States District Court Judge

Dated: June 21, 2023